UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Agnieszka Boesen

Art Unit: 1648

Re:

SUNG, Young Chul et al.

Serial No :

10/528,644

Filed:

Application of:

March 18, 2005

For:

A VACCINE ENHANCING THE PROTECTIVE

IMMUNITY TO HEPATITIS C VIRUS USING PLASMID DNA AND RECOMBINANT

ADENOVIRUS

DECLARATION OF DEPOSITOR

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 February 9, 2011

SIR-

I, SUNG, Young Chul hereby state:

- 1. That I am a co-inventor of the above-identified patent application.
- 2 That, on August 29, 2002, I deposited samples of

pGX10 gDsΔST, pGX10 NS34, pGX10 NS5, rAd gDsΔST, rAd gDssNS34 and rAd NS5

with the Korean Culture Center of Microorganisms (KCCM), as an International Depository Authority, at #361-221 Yurim B/D, Hongje-1-dong, Seodemun-gu, Seoul 120-091, Republic of Korea, in compliance with the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure as Deposit Accession Number KCCM 10415. KCCM 10417, KCCM 10416, KCCM 10418, KCCM 10420 and KCCM 10419, respectively.

Copies of the accession agreement are annexed hereto as Exhibit A.

I hereby assure the United States Patent and Trademark Office and the public that (a) all restrictions on the availability to the public of the deposited materials referred to in paragraph 2 will be irrevocably removed upon issuance of a United States patent of which any of such deposited material is the subject; (b) the deposited materials will be maintained for a period of at least five years after the most recent request for the furnishing of samples of any of the deposited materials were

received by the KCCM and, in any case, for a period of at least 30 years after the date of deposit or for the effective life of such patent, whichever is longer; (c) should any of the deposits become non-viable or mutated, or otherwise incapable of being furnished by the depository upon request due to the condition of the deposit, it will be replaced by Applicants; and (d) access to the cultures will be available to the Commissioner during the pendency of he patent application or to one determined by the Commissioner to be entitled to such cultures under 37 C.F.R. §1.14 and 35 U.S.C. §122.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under \$1011 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

February 9, 2011	SUNG, Young Chul
Date	Sung Young Chil
	10111

Exhibit A

Deposit Receipts for KCCM 10415, KCCM 10417, KCCM 10416, KCCM 10418, KCCM 10420 and KCCM 10419, respectively in U.S. Ser. No. 10/528,644 are as follow:

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

⁷ To, Young Chul Sunz Department of Life Science, Pohang University of Science and Technology, Pohang 790-724, Korea

RECEIPT IN THE CASE OF AN ORIGINAL issued pursuen to Rulo 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page

1. IDENTIFICATION OF THE MICROORGANISM	· ·	
Identification reference given by the DEPOSITOR: pGX10 gDsAST	Accession number given by the INTERNATIONAL DEPOSITARY ALITHORITY: KCCM-10415	
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION		
The microgramism identified under I shows was accompanied by: \[\begin{array}{l} \text{a scientific description} \end{array} \] \[\begin{array}{l} \text{a proposed monomic designation} \end{array} \] (Mork with a cross where applicable)		
II. RECEIPT AND ACCEPTANCE		
This International Depositary Authority accepts the microorganism identified under 1 above, which was received by it on Aug. 20, 2002. (date of the original deposit) ¹		
W. INTERNATIONAL DEPOSITARY AUTHORITY		
Name: Kerasa Cultur, Center of Microorganisms Address: 361, 221, Yurim B/D Hongle:1-tong, Scodacmun-gu 550UL 120-691 Remobile of Kores	Signature(s) of person (s) having the power to represent the International Depository Authority or of authorized official(s): Data! Sep. 5. 200	

1 Where Rule 8.4(d) applies, such data is the fate on which the same of the equipment deposits y such are year acquired: where a deposit, made obtained the Buchgess Treaty state the acquisition of the status of it attracted that a deposit under the Buchgess Treaty, such date is the date on which the microstynation was received by the interestional depository authority.

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SUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

⁴ To. Voung Chul Sung Department of Life Science, Pohanz University of Science and Technology, Pohang 750-784, Koros

RECEIPT IN THE CASE OF AN ORIGINAL Issued pursuent to Role 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page

I. IDENTIFICATION OF THE MICROURGANISM		
Identification reference given by the DEPOSITOR: pGX10 NS34	Accession number given by the INTERNATIONAL DEPOSITABLY AUTHORITY: KCCM-10417	
D. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION		
The interconganism identified under I above was accompanied by:		
□ a sciendiic description		
🔲 a proposed isosomic designation		
(Mark with a cross where applicable)		
III. RECEIPT AND ACCEPTANCE		
This International Depositary Authority eccepts the infereorganism identified under I above, which was received by it on Aug. 29, 2002. (date of the original deposit) ¹		
IV. INTERNATIONAL DEPOSITARY AUTHORITY		
Name : Korean Culture Center of Microorganisms	Signature (s) of person (s) having the power to represent the laternational Depositary	
Address : 361-221, Yurim B/D	Authority or of authority and with the control of authority or of authority and authority are a second authority and a second authority are a second authority are a second authority and a second authority are a second authority and a second authority are a second authority and a second authority are a second authority are a second authority are a second authority are a second authority and a second authority are a second authority and a second authority are a second authority are a second authority are a second authority are a second authority and a second authority are a second authority and a second authority are a second authority a	
Monsje-1-dung,	源山麓	
Seedacmun-gu SEOUL 120-091	Date: Sep. 5, 20 En USER	
Republic of Korea	温冷調	

I Where Rule 6.4(d) applies, such date is the date on which the status of international depository authority was acquired? where a deposit made outside the Budapest Trary after the sequistion of the sames of i normalional depository authority is converted into a deposit under the Budapest Treaty, such date is the eate on which the microorganism was received by the international depository authority.

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDUME

INTERNATIONAL FORM

RECEIFT IN THE CASE OF AN ORIGINAL

To. Young Chul Sump

Form BP/4

Department of Life Science,

Pohang University of Science and Technology, Pohang 780-784, Korsa	issued pursuant to rate 7.1 of the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page
I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR; pGX10 NS5	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: KCCM-10416
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I alove was accelerative description a proposed taxonomic designation (Mark with a cross where applicable) III. RECEIPT AND ACCEPTANCS This International Depositary Authority accepts the received by it on Aug. 29, 2002. (date of the original property or the original property o	e relercorganism identified under I above, which was
IV. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: Karcan Culture Centur of Microorganisms	Signature(s) of person(s) having the power to represent the Imamational Depository
Address : 251-221, Yurim D/D Hongie-1-dong, Sectionium-gu SibOUL 120-091	Authority or of authorized official(e): Dato: Sop. 5. 20 11 11 11 11 11 11 11 11 11 11 11 11 11

Republic of Korea

Where Eule 6.4(d) applies, such, date is the date on which the status of international depository authority was adjusted : where a deposit made onedde the Budapest Treaty offer the acquisition of the status of international depository authority is converted into a deposit under the Eudapest Treaty, such date is the date out which the microorganism was received by the international depository authority.

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BUDAPEST TREATY ON THE INTERNATIONAL, RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

To. Young Chal Sung Department of Life Science, Pohang University of Science and Technology, Pohang 750-784, Korna

RECEIPT IN THE CASE OF AN ORIGINAL issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this gage

1. IDENTIFICATION OF THE MICROORGANISM		
Identification reference given by the DEPOSITOR: :Ad-gDs 4ST	Accession number given by the RYTERNATIONAL DEPOSITARY AUTHORITY: KCCM-10418	
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION		
The microorganism identified under [above was accompanied by: \[\Begin{align*}		
III. RECRIFT AND ACCEPTANCE This International Depositary Authority accepts the microarganism identified under I above, which was received by it on Aug. 22, 2002. (date of the original deposity) ²		
IV. INTERNATIONAL DEPOSITARY AUTHORITY		
Name: Korean Culture Center of Microargentans Address: 351–221, Yurlin B/D Hongje-1-doog, Seedeemm-yu SEOUL 120-021 Republic of Korea	Signature (a) of person (c) having the power to represent the International Depository Authority or of authorized official (c): Date: Sep. 5. 20	

I Winey Rule, 5,4(d) applies, such side is the date on which the state of macronization density authority was accurred; where a deposit made outside the Burlagest Trenty after the acquisition of the stutus of international depositary authority is converted into a deposit under the Rudepest Treaty, such date is the date on which the infraorization was received by the international descipitary authority.

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BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PHRPOSES OF FATENT PROCEDURE

INTERNATIONAL FORM

To, Young Chai Sung
Densations of Life Science.
Pohang University of Science and Technology,
Pohang 790-784, Korea

RECEIPT IN THE CASE OF AN ORIGINAL issued parament to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page

I. IDENTIFICATION OF THE MICROORGANISM	7
Identification reference given by the DEPOSITOR: rAd-sDeNSS4	Accession number given by the INTURNATIONAL DEPOSITARY AUTHORITY:
D. SCIENTIFIC DESCRIPTION AND/OR PROPOSE	MCCM-10420 D TAXONOMIC DESIGNATION
The microarganism identified under I above was according to a releasible description	impenied by:
☐ a proposed assonomic designation (Mark with a cross where applicable)	
III. RECEIPT AND ACCEPTANCE	and the second s
This International Depositary Authority accepts the received by it on Aug. 29, 2002. (date of the origin	raicroorganism identified under I above, which wa
IV. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: Kerean Culture Center of Microorganisms Address: 351 221, Yuvim B/D	Signature(s) of person(s) having the power to represent the international Depository
Hongie 1-dong, Scodacmun-gu SEOUL 120-091	Authority or of authorized official (a): Dato: Sep. 5. 200
Republic of Korea	

Where Role is 4(0) applies, such date is the date on which the status of informational deposition pathonic was acquired a sphere a deposit, made outside the Budnees Treaty after the strategate of the status of th

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BUDDPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGAMSMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

To. Young Chil Sung Department of Life Science, Pohang University of Science and Technology, Pohang 799-784, Korea

RECEIPT IN THE CASE OF AN ORIGINAL issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bettern of this same

Sole page

I. IDENTIFICATION OF THE MICROORGANISM	The state of the s	
Identification reference given by the DEPOSITOR: rAd-NS5	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: KCCM-10419	
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION		
The microorganism kientified under I above was seen I a scientific description I a proposed taxonomic designation	ripunied by:	
(Mark with a cross where applicable) III. RECEIPT AND ACCEPTANCE This International Depositary Authority accepts the microorganism identified under I above, which was received by it on Augr. 29, 2002, (date of the original deposit)		
IV. INTERNATIONAL DEPOSITARY AUTHORITY		
Name: Korean Culture Center of Microorganisms Address: 381–221, Yurim B/D Grougle-1-dong, Scodaemuo-nu SEOUL: 120–591 Republic of Korea	Sunature (a) of person (a) having the power to represent the International Depositary Authority or of authorized cultical (a): Dam: Sep. 5. 200	

Where Rule 5.4(d) applies, such date is the date on which the status destination depositiony authority was acquired: where a deposit made outside the Budapest Treaty shor the acquisition of the scans of international depository authority is converted into a deposit under the Budapest Treaty, such date is the date on which the curveycorganism was received by the international depository authority.

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